IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 5TH JANUARY 2007 / 15TH PAUSHA 1928

OP.No. 15333 of 2003(A)

PETITIONER:

DR.E.K.RAMACHANDRAN,
SUPERINTANDENT AND ADMINISTRATOR,
MES THYVALAPPIL MUSTAFA HOSPITAL, CHETTUVA,
P.O.KUNDALIYOOR, THRISSUR.

BY ADV. SRI.P.RAMAKRISHNAN

RESPONDENTS:

1. **SMT.NASEEMA P.R., STAFF MES,**
   THYVALAPPIL MUSTAFA HOSPITAL, CHETTUVA,
   P.O.KUNDALIYUR, THRISSUR.

2. **SMT.LILLY T.J., STAFF MES THYVALAPPIL**
   MUSTAFA HOSPITAL, CHETTUVA, P.O.KUNDALIYUR,
   THRISSUR.

3. **SMT.PHILOMINA A.N.,STAFF MES THYVALAPPIL**
   MUSTAFA HOSPITAL, CHETTUVA, P.O.KUNDALIYUR,
   THRISSUR.

4. **SMT.MARIYAM P.P., STAFF MES**
   THYVALAPPIL MUSTAFA HOSPITAL, CHETTUVA,
   P.O.KUNDALIYUR, THRISSUR.

5. **SMT.KOMALAM K.R., STAFF NURSE,**
   THYVALAPPIL MUSTAFA HOSPITAL, CHETTUVA,
   P.O.KUNDALIYUR, THRISSUR.

6. **SMT.LEKSHMI P.R., STAFF NURSE,**
   THYVALAPPIL MUSTAFA HOSPITAL, CHETTUVA,
   P.O.KUNDALIYUR, THRISSUR.

7. SMT MARY VINCENT, STAFF NURSE,
THYVALAPPIL MUSTAFA HOSPITAL, CHETTUVA,
P.O.KUNDALIYUR, THRISSUR.

8. SMT AMMINI K.D., STAFF NURSE,
THYVALAPPIL MUSTAFA HOSPITAL, CHETTUVA,
P.O.KUNDALIYUR, THRISSUR.

9. SMT.REENA V.O., STAFF NURSE,
THYVALAPPIL MUSTAFA HOSPITAL, CHETTUVA,
P.O.KUNDALIYUR, THRISSUR.

10. THE LABOUR COURT, ERNAKULAM.

BY ADV. SRI.MAJNU KOMATH

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 05 / 01 /2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

O.P. No. 15333 OF 2003 A

Dated this the 5th day of January, 2007

J U D G M E N T

The petitioner, the opposite party in CP No.119/97 before the Labour court, Ernakulam, challenges Ext.P1 order passed by the Labour court in that CP. That CP was filed by respondents 1 to 9 claiming the difference between the minimum wages payable to them and the actual amount paid by the petitioner management. Although originally the petitioner tried to make out a case that going by the appendix a wrong notification under the Minimum Wages Act has been applied, in view of the fact that in the body of the order, it is specifically mentioned that what has been considered by the Labour court is the correct Government Order namely, GO(MS) No.94/80/LBR dated 8.9.1980, it cannot be disputed now that the said Government Order is the one applicable and applied by the Labour court, in the present case. Confronted with that position, the petitioner confines his prayer for reducing the interest from 12% as ordered by the Labour court to a reasonable percentage. I find that in the original petition, there was a conditional stay and the condition has been complied with by the petitioner also. Taking into account the facts and circumstances of the

case, I feel that justice would be met if the interest payable by the petitioner is reduced from 12% to 6%. Accordingly, I dispose of the original petition modifying Ext.P1 to the effect that the petitioner herein would be liable to pay interest on the amount computed by the Labour court at the rate of 6% per annum. The petitioner shall pay the balance amount due as per Ext.P1 order with 6% interest within two months from the date of receipt of a copy of this judgment.

(S. SIRI JAGAN, JUDGE)

aks

S. SIRI JAGAN , J.

OP No.15333/03 T

J U D G M E N T

5th January, 2007